

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WAYNE COUNTY AIRPORT  
AUTHORITY, ET AL.,

Plaintiffs,

v.

JOHNSON CONTROLS, INC.,  
ET AL.,

Defendants.

No. 11-15597

District Judge Lawrence P. Zatkoff

Magistrate Judge R. Steven Whalen

**ORDER**

For the reasons and under the terms stated on the record on July 18, 2013,  
Defendant Phoenix Insurance Company's Motion to Strike Alan B. Havis from Plaintiffs'  
Witness List and to Preclude his Testimony in any Capacity [Doc. #159] is GRANTED  
IN PART AND DENIED IN PART, as follows:

1. The request to strike Mr. Havis from Plaintiff's witness list and to preclude his  
testimony is DENIED WITHOUT PREJUDICE.

2. Defendants' alternative request to compel the deposition of Mr. Havis is  
GRANTED. Mr. Havis will be deposed within 30 days of the date of this Order. There  
will be one deposition of up to seven hours. Counsel for Defendants Kleen-Tech Services  
Corporation and Johnson Controls, Inc., as well as counsel for Phoenix Insurance  
Company, may participate in the deposition.

IT IS SO ORDERED.

July 18, 2013

s/ R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing was sent to parties of record on July 18, 2013,  
electronically and/or by U.S. mail.

s/Michael Williams  
Relief Case Manager for the  
Honorable R. Steven Whalen